

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 28, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: Commissioner Proud asked for a moment of silence in honor of fallen Capt David Seth Mitchell, United States Marine Corps, who was killed in a helicopter crash in Afghanistan on Monday, October 26, 2009.

IN RE: BOARD OF COUNTY COMMISSIONERS...APPOINTMENT OF CONNIE TIBBE, EXECUTIVE ASSISTANT, BOARD OF COUNTY COMMISSIONERS, AS CLERK PRO TEM...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners hereby appoints Connie Tibbe, Executive Assistant, Board of County Commissioners, as Clerk Pro Tem for said Regular Session.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION... DESIGNATING "NATIONAL VETERANS AWARENESS WEEK" IN CLERMONT COUNTY, OHIO...09-1019-001...ADOPTED

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating the week of November 8, 2009 through November 14, 2009 as "National Veterans Awareness Week" in Clermont County, Ohio.

IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION... DESIGNATING "ADOPTION AWARENESS MONTH" IN CLERMONT COUNTY, OHIO...09-1022-003...ADOPTED

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating the month of November 2009 to be "Adoption Awareness Month" in Clermont County, Ohio.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 199-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **199-09** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor **10/26/09** in the revised total amount of **\$1,096,627.19**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 200-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **200-09** resolving to approve payment to vendors included on the General Ledger Distribution Report(s) presented by the County Auditor **10/26/09** as reflected in the General Ledger Distribution Excerpt Report in the amount of **\$13,500.00** and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Abstained.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...RESOLUTION NUMBER 201-09/RESOLUTION IMPLEMENTING UNITED STATES CODE SECTION 26USC1400U-1(b) DESIGNATING CLERMONT COUNTY AS A RECOVERY ZONE AND MAKING FINDINGS IN CONNECTION THEREWITH ...09-1022-004...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to adopt Resolution Number **201-09** resolving (1) to find that the area within and throughout Clermont County has significant rates of poverty, unemployment, home foreclosures and general distress, (2) to designate the entire area of Clermont County as a Recovery Zone pursuant to and in compliance with United States Code Section 26USC1400U-1(b) of the American Recovery and Reinvestment Tax Act of 2009 (Stimulus Act), and (3) to make or effect any election, selection, designation, choice, consent, approval, allocation, or waiver on behalf of Clermont County with respect to the Clermont County Recovery Zone and the County's Allocations (\$5,927,000 for the issuance of Recovery Zone Economic Development Bonds and \$8,890,000 for the issuance of Recovery Zone Facility Bonds, which must be issued by 01/01/11) as the County is permitted to or required to make or give under the American Recovery and Reinvestment Tax Act of 2009 for the purpose of assuring, enhancing, or protecting favorable tax treatment or status of any Recovery Zone Economic Development Bonds or Recovery Zone Facility Bonds to be issued pursuant to the Allocations or activities to be financed by such bonds or assisting compliance with requirements for that purpose, which action shall be in writing and signed by a majority of the Clermont County Board of Commissioners, including but not limited to allocation of any portion of the Allocations to the State or any agent or political subdivision of the State or waiver of any portion of the Allocations to the State if the Board determines that such allocation or waiver is in the best interests of the County and consistent with the purposes of this resolution, and to take any and all actions, and make or give reports, covenants, and certifications of and on behalf of Clermont County as may be appropriate to assure the intended status of the Clermont County Recovery Zone and any Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds issued by the County or pursuant to any allocation or waiver by the County all or which is for purposes of promoting economic development or other activity in the Clermont County Recovery Zone, as well as, any obligations issued to finance the construction, reconstruction, renovation, or acquisition of property within the Clermont County Recovery Zone and to be used in a qualified business in the Clermont County Recovery Zone as stated therein effective

immediately and in full force and effect upon the adoption hereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: CLERMONT COUNTY JUVENILE COURT...APPLICATION FOR FISCAL YEAR 2010 OFFICE OF CRIMINAL JUSTICE SERVICES GRANT FUNDS THROUGH THE JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM FOR THE GRANT ENTITLED DETENTION/CORRECTIONS PERSONNEL FOR SAME...09-1026-002... APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court, to execute and file an Application for Fiscal Year 2010 Office of Criminal Justice Services grant funds through the Juvenile Accountability Block Grant (JABG) Program for the grant entitled Detention/Corrections Personnel, in the amount of \$11,813.00, with a local match in the amount of \$1,313.00 from Reclaim Ohio Funds, for a total program budget of \$13,126.00, for the period of 01/01/10 through 12/31/10, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...CONTINUATION OF EXPERT CONSULTING AGREEMENT WITH JEFF PARMET AND ASSOCIATES, LLC IN THE CONTRACTUAL MATTER BETWEEN CLERMONT COUNTY, OHIO, AND VALOR SYSTEMS, INC....09-0218-002...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney to authorize the continuation of expert consulting services in accordance with the agreement by and between the County of Clermont, Ohio, and Jeff Parmet and Associates LLC, 9920 Potomac Manors Drive, Potomac, MD, 20854 previously ratified by the Board of County Commissioners on 2/18/09, with a correction to the record ratified on 4/06/09 and an amendment on 9/28/09 with regard to the contractual matter between Clermont County, Ohio and Valor Systems, Inc. at hourly rates not to exceed \$395.00 for the hours necessary to provide expert witness assistance in pending litigation under the supervision of the Office of the Prosecuting Attorney with all other terms and conditions of the original Contract and Amendments to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 202-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **202-09** resolving to approve payments to vendor as set forth in the General Ledger Distribution Report presented by the County Auditor **10/28/09** in the total amount of **\$54,726.01**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
Board of County Commissioners and/or Staff DC# 09-1013-001	Clermont Chamber of Commerce & Cincinnati USA Regional Chamber	\$7,670.25	01/01/10 through 12/31/10

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2009...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009:

\$ 100,000.00	General Fund Insurance/Health/Judgments	100-1012-5300	Purchased Services
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BUDGET TRANSFER OF FUNDS:

\$ 44,046.65	From General Fund 100-1014-6600 to 100-1014-5700 (Capital Expenditures Capital Outlay to Materials & Supplies)
\$ 7,920.00	From General Fund 100-4012-5300 to 100-4012-5112 (Building Inspection Purchased Services to Regular Salary)
\$ 1,234.73	From General Fund 100-4012-5300 to 100-4012-5200 (Building Inspection Purchased Services to Fringe Benefits)

\$ 9,846.50	From General Fund 100-2160-5118 to 100-2160-5700 (Clerk of Common Pleas Court Temporary Salary to Materials & Supplies)
\$ 519.68	From General Fund 100-2160-5121 to 100-2160-5700 (Clerk of Common Pleas Court Overtime to Materials & Supplies)
\$ 30,000.00	From Community Transportation Connection Fund 218-7016-5200 to 218-7016-6100 (Fringe Benefits to Maintenance & Repair)
\$ 23,000.00	From Community Development Block Grant Fund 229-7011-5118 to 229-7011-5112 (Temporary to Regular Salary)
\$ 50,000.00	From Municipal Court Computerization Fund 259-2252-5300 to 259-2252-6600 (Purchased Services to Capital Outlay)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

COUNTY SHERIFF

Dorothy Rhorer and Tracy Smith: One (1) day – Newport, Kentucky – Premier “Foodservice Makeover” Meeting – Total expenses not to exceed \$0.00.

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

William Beyer: Three (3) days – Columbus, Ohio – The Ohio Water Environment Association’s 2009 Plant Operations and Lab Analysis Specialty Workshop – Total expenses not to exceed \$340.58. (*revised/previously approved on 09/30/09*)

PROSECUTING ATTORNEY

Mary Lynne Birck: Three (3) days – San Francisco, California – Deposition in the case of Larry Smith Contractors, Inc. vs Board of Clermont County Commissioners – Total expenses not to exceed \$1,595.21.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: PERSONNEL ACTION FORMS...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Work Sessions of **09/14/09 and 09/23/09** carried with all members present voting affirmatively thereon.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS, AND SECURITY, DIVISION OF PUBLIC SAFETY SERVICES... REJECTION OF THE FACT-FINDER'S RECOMMENDATIONS FOR CASE NUMBER 08-MED-09-0832 IN AND AS IT RELATES TO THE COLLECTIVE BARGAINING NEGOTIATIONS WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL INC. REPRESENTING THE BARGAINING UNIT EMPLOYEES OF THE DIVISION OF PUBLIC SAFETY SERVICES AND EXECUTION OF THE EMPLOYER CERTIFICATION OF FACT-FINDING VOTE FORM RELATIVE THERETO...09-1026-003...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Steven H. Rabolt, Director, Office of Technology, Communications, and Security, and Robert E. Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to reject the Fact-Finder's recommendations dated October 22, 2009, for Case Number 08-MED-09-0832, relative to Wages and Term of the Contract in collective bargaining negotiations, by and between the County of Clermont, Ohio, and the Fraternal Order of Police, Ohio Labor Council, Inc. representing the Bargaining Unit Employees of the Division of Public Safety Services pursuant to the terms and conditions specified therein, and further to authorize the Human Resources Department to execute the Employer Certification of Fact-Finding Vote Form relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

LET THE RECORD SHOW: Tim Hershner, Planning Supervisor, Department of Community Planning and Development introduced Becky McClatchey, Watershed Coordinator, Clermont Soil and Water Conservation District. Ms. McClatchey addressed the Board of County Commissioners relative to the Watershed Balanced Growth Plans. She provided an overview of the Ohio Balanced Growth Plan and addressed watershed planning in the East Fork area and balanced growth in the Middle East Fork sub-watershed. Mr. Hershner added that the plan will also complement and stimulate the planning and implementation efforts of the Eastern Corridor. In conclusion, Ms. McClatchey requested that the Board provide a Resolution of Support for the Balanced Growth Watershed Grant application. (DC# 09-1026-001)

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 203-09/RESOLUTION SUPPORTING THE BALANCED GROWTH WATERSHED GRANT APPLICATION SUBMITTED BY THE CLERMONT SOIL AND WATER CONSERVATION DISTRICT RELATIVE TO THE MIDDLE EAST FORK WATERSHED...09-1026-001...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ray Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to adopt Resolution Number **203-09** resolving to support the Balanced Growth Watershed Grant Application submitted in October of 2009 by the Clermont Soil and Water Conservation District to the Ohio Water Resources Council, to complete the Middle East Fork Balanced Growth Plan in Fiscal Years 2010 through 2012.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

LET THE RECORD SHOW: That Linda Fraley, Clermont County Auditor, appeared before the Board of County Commissioners to discuss their 2010 annual appropriations. Ms. Fraley presented an overview of the operations of the Auditor's Office outlining General Fund revenues and expenditures as well as actual and budget comparisons. She indicated that the new target provided by the Administration for the County Auditor's Office will be met, without furloughs to any employees of her department. A copy of the County Auditor's Power Point Presentation is attached hereto and made a part hereof. (DC# 09-1020-002)

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **10/28/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:21 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

CONNIE TIBBE, CLERK PRO TEM

DATE APPROVED – 10/28/09